

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

U.S. DISTRICT COURT
SAVANNAH DIV.

2016 NOV 18 PM 4:18

CLERK *eff*
SO. DIST. OF GA.

IN RE: CHERYDA GREGORY,)
Grantor,)

Plaintiff,)

v.)

CV416-205

THE REAL PROPERTY,)
LOCATED AT: 1617)
CLOVERDALE DR.,)
SAVANNAH, GA., *et al.*,)

Defendants.)

REPORT AND RECOMMENDATION

Pro se plaintiff Cheryda Gregory filed a quiet title action in state court and defendants Flagstar Bank, FSB and LoanCare, LLC (collectively “defendants”) removed it, doc. 1, then moved under Fed. R. Civ. P. 12(b)(6) to dismiss her Complaint. Doc. 5. Gregory has failed to respond, so under S.D. Ga. Civ. L. R. 7.5 the motion is deemed unopposed. *Id.* (“Failure to respond within the applicable time period shall indicate that there is no opposition to a motion.”) Accordingly,

defendants' motion, doc. 5, which is otherwise legally supported, should be **GRANTED** and this case should be **DISMISSED**.

This Report and Recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned "Objections to Magistrate Judge's Report and Recommendations." Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonett v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. U.S.*, 612 F. App'x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 18th day of
November, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA